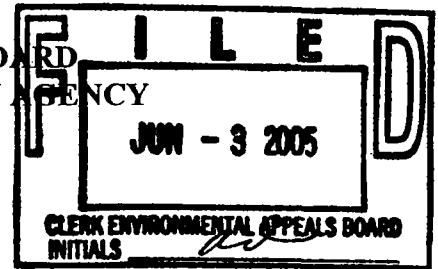




330482

BEFORE THE ENVIRONMENTAL APPEALS BOARD
 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, D.C.



 In the Matter of:)

Grand Pier Center, LLC,)

Petitioner)
 _____)

CERCLA § 106(b) Petition No. 04-01

ORDER GRANTING UNOPPOSED MOTION TO FILE
INSTANTER SUPPLEMENTAL BRIEF AND REPLY THERETO

Before the Board at this time is a motion filed by U.S. EPA Region 5 seeking leave to file an instanter supplemental brief. The Region has included its proposed instanter supplemental brief as an attachment to its motion (subsequently, the Region submitted a corrected version of page 5 of its proposed instanter supplemental brief). The Region states that the petitioner, Grand Pier Center, LLC, has no objection to the Region's motion, "provided Petitioner may file a five-page Supplemental Reply Brief by June 8, 2005 via facsimile and U.S. mail."

Upon consideration, we have determined to grant the Region's motion. Accordingly, the Region is hereby granted leave to file its proposed Instanter Supplemental Brief (as corrected with the substituted page 5), which is hereby accepted for filing with no further action required

by the Region. In addition, Grand Pier Center, LLC, is also hereby granted leave to file its supplemental reply brief on or before June 8, 2005, via facsimile and U.S. mail.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

June 3, 2005

By:

Anna L. Wolgast

Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Unopposed Motion to File Instant Supplemental Brief and Reply Thereto, CERCLA § 106(b) Petition No. 04-01 were sent to the following persons in the manner indicated:

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Dated: JUN - 3 2005


Annette Duncan
Secretary